



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 28, 2019

BY ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Stephen M. Calk*, 19 Cr. 366 (LGS)

Dear Judge Schofield:

Pursuant to the Court's May 23, 2019 Order (Dkt. 5), the Government writes on behalf of the parties to propose discovery and motion deadlines and dates for a status conference and to advise on the parties' views on the exclusion of time under the Speedy Trial Act.

The parties propose that discovery, which is voluminous, be produced by the Government on a rolling basis beginning promptly and shall be completed by August 26, 2019, *i.e.*, 90 days from today.

The parties propose that motions directed at the sufficiency of the indictment shall be filed by July 12, 2019, *i.e.*, 45 days from today. The parties also propose that motions to suppress or motions otherwise based on the discovery shall be filed on or before September 25, 2019, *i.e.*, 30 days from the anticipated completion of discovery.

With respect to a status conference, the parties' preferred date is May 31, 2019, between 11:00 a.m. and 4:00 p.m. The parties alternatively propose the afternoon of June 17, 2019 or the morning of June 21, 2019.

The Government, with the consent of the Defendant, respectfully requests that time under the Speedy Trial Act be excluded through the date of the conference in the interests of justice pursuant to 18 U.S.C. § 3161(h)(7)(A) in order to allow the parties time to negotiate and propose a confidentiality order governing discovery productions, to allow the Government to begin making

discovery productions, and to allow the defense to review the Government's discovery productions and evaluate potential motions.¹

Respectfully submitted,

AUDREY STRAUSS
Attorney for the United States
Acting Under Authority Conferred by
28 U.S.C. § 515

by: /s/ Benet J. Kearney
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¹ The Government notes that Magistrate Judge Freeman, at the Defendant's arraignment on May 23, 2019, excluded time until June 6, 2019 under Section 3161(h)(7)(A) for similar reasons.